

**Asheville Tree Commission**  
**Alternative Compliance Committee**  
**Monday, August 18, 2014**  
Minutes

**Members:** Bob Gale (Chair); Mike Kenton and Amy Kemp

**Staff Present:** Nate Pennington (Development Services); Lora Morgan (Public Works); Jerry Yates (Public Works); Mike Wheeler (Development Services), Greg Shuler (Public Works); Ric Ledford (Development Services); Mark Foster (Public Works)

**Guest:** Preston Kendall and John Cox

**To:** City of Asheville Tree Commission

**From:** Mike Wheeler, City Planner

**Date:** July 31, 2014

<b>Meeting Date:</b> August 18, 2014
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<b>Project Name:</b> US Cellular Center
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<b>Location:</b> 87 Haywood Street
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<b>Pin:</b> 9648.39-2135
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<b>Zoning:</b> Central Business District
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<b>Acreage:</b> 2.74 acres / 119,354 square feet
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<b>Description of request/background:</b>
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The project involves the renovation and expansion of the existing facility along the front elevation located on Haywood Street. The code would require planting three large maturing deciduous street trees to be located within the area around the addition. The applicant's request is to relocate one of these required trees to another street frontage (along Hiawassee Street) as shown on the proposed site plan. The applicant indicates there are a number of existing conditions (i.e. kiosk, statues, traffic light, trash receptacles, flag pole, etc.) which prevents the possibility of planting a third street tree in the immediate area.
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<b>Staff findings:</b>
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Staff has reviewed this matter and confirms that the applicants request is warranted and we recommend the Tree Commission approve the request as stated.
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**Alternative Compliance supports the staff's recommendations**

To: City of Asheville Tree Commission

From: Mike Wheeler, City Planner

Date: July 31, 2014

Meeting Date: August 18, 2014
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Project Name: ATL Hospitality, LLC DBA Econo Lodge
Location: 190 Tunnel Road
Pin: 9658.17-1401
Zoning: Highway Business District
Acreage: 1.102 acres / 48,003 square feet

<b>Description of request/background:</b>
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The project involves the demolition and repaving of the existing parking lot and associated drive aisles for the Econo Lodge. The code requires the entire site to be brought into compliance with all applicable landscaping standards (i.e. street trees, street buffer, parking lot landscaping, building impact landscaping, etc.).

The applicant is requesting four alternatives as follows:

1. The code will require the installation of 5 small maturing street trees; the applicant's request is to install only 3 small maturing street trees.
2. The code permits a maximum spacing distance between street trees of 65 feet. The applicant's request is to permit a maximum spacing of 73 feet between two of the street trees.
3. The code requires that each parking space be located within 60 feet of a tree. The applicant's request is to have parking spaces located up to 120 feet from a tree.
4. The code requires a break (Tree Island) for perimeter runs of parking exceeding 14 spaces. The applicant's request is to have perimeter runs of parking of 20 spaces with no breaks.

The applicant states the site was developed prior to the current landscaping regulations and therefore the existing conditions (i.e. building location, parking location, retaining wall locations, access drive locations, etc.) preclude strict adherence to the code, which is not a result of the applicant's own action. Furthermore, the majority of the requested alternatives pertain to spacing standards relating to off-street parking which they feel can not be modified. They are only providing enough parking to have 1 space per room, which is the minimum they feel is needed for their business and patrons.

<b>Staff findings:</b>
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The existing building was constructed in 1973 according to the Buncombe County Tax Records, which was prior to the adoption of the UDO (1997). The proposal does provide full compliance with the majority of the required number of trees and shrubs for building impact landscaping, parking lot landscaping and street buffer. The proposal only requests a reduction in the number of street trees from 5 to 3. All other requests relate to spacing standards that can not be met due to existing site conditions. Staff has reviewed this matter and finds the applicant's request is reasonable and would recommend the Tree Commission approve the request as stated.

Alternative Compliance supports the staff's recommendations with the suggestion of the tree being planted be an American Hornbeam, and its location be moved down the street to the next planting space where there is more growing space (next to boulders).

To: City of Asheville Tree Commission

From: Nathan Pennington, CFM, Plan Review Coordinator

Date: August 7, 2014

Meeting Date: August 18 <sup>th</sup> , 2014
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Project Name: Milkco, Inc.
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Location: 180 Deaverview Road
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Pin: 9628.55.9667
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Zoning: Commercial Industrial (CI)
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Acreage: 8.01 acres
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<b>Description of request/background:</b>
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<p>The applicant is seeking Level I site plan review and alternative compliance to formalize an area that has been used to store truck trailers in conjunction with the Milkco milk production facility. The UDO requires outdoor storage areas to be screened from adjacent properties and streets utilizing landscaping or a combination of landscaping and fencing. The subject area is approximately 38,047 square feet and is adjacent to Deaverview Road. A building was demolished in this same area some time ago. Due to the topography along Deaverview Road, the applicant is proposing to construct a retaining wall to further stabilize the area separating the outdoor storage area and the road. Retaining wall landscaping will be required for sections of the wall that exceed six (6) feet in height.</p>
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<p>Due to the presence of the retaining wall along Deaverview Road and a required vehicular barrier at the top of the wall, fencing the outdoor storage area will not represent a viable screening solution. Since retaining wall landscaping is already required at the base of the wall, including additional landscaping in these areas would provide a more appropriate buffer.</p>
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<b>Staff findings:</b>
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<p>Staff recommends that the Tree Commission approve a request that would allow a five foot planting strip to be located in front of the proposed retaining wall along Deaverview Road and along the driveway entrance. Further, staff recommends the planting of understory trees along Deaverview Road due to the presence of overhead utilities in addition to the proposed shrubs.</p>
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**Alternative Compliance supports the staff's recommendation with the suggestion of an additional redbud tree being added to the center island at the sign and that the island is increased slightly to accommodate the additional tree. The two trees would be on each side of, but behind the sign, so as not to block its view from the road. Clarification that there will be no other trees or bushes cut down from this lot.**

**Asheville Tree Commission**  
**Monday, August 18, 2014**  
**Minutes**

***Members Present:*** Mike Kenton (Tree Commission- Chair); Bob Gale (Tree Commission); Amy Kemp (Tree Commission); Susan Roderick (Tree Commission); Mike Davie (BRAA); Roy Smith (Duke Energy); Brandee Boggs (Tree Commission)

***Staff Present:*** Jerry Yates (Public Works); Lora Morgan (Public Works); Mark Foster (Public Works); Cecil Bothwell (City Council); Greg Shuler (Public Works); Marsha Stickford (Planning)

***Guest:*** Mr. McDowell- citizen

The Asheville Tree Commission held its monthly meeting on **Monday, August 18, 2014**, at **12:00 p.m.** in Room A-109 of the William F. Wolcott Public Works Complex at 161 South. Charlotte Street. Mike Kenton called the meeting order.

Mike welcomed everyone to the Tree Commission meeting.

There was a moment of silence held in memory of Laura Yavelow who was a dedicated Tree Commission member.

The motion was made by Bob Gale to approve the minutes from the July 21, 2014 Tree Commission meeting, Amy Kemp seconded and the minutes were accepted unanimously.

***Directors Report:***  
***Greg Shuler***

- Would like for the Tree Commission minutes to be put on line where the citizens can view them. The feedback was to put them on the Tree Commission site and the Public Works site.
- Lora will work with David Keitt to make sure this happens each month.
- Tree Crews are almost back to full staff. Working on the last person to make it official.

***Tree- Related Activities:***

***Mark Foster***

- Staying busy. Asheville App working well, going off all the time.
- Mark would like to join the Alternative Compliance Committee when going on site visits, specifically the ones in the right of way that will end up with Mark taking care of them. Bob and Mark will work out the details of making that happen.

***Citizen Response Committee:***

***Mark Foster***

- Presentation on the Five Points Neighborhood Association/Holland Street. The Citizen Response committee went out and took a look at the area of concern. After much discussion the recommendation from the Tree Commission is they understand the neighbors are interested in the sidewalk and the buffer, you can't have both. We would suggest leaving the buffer and repairing the sidewalk on the other side. The reason why we say you can't have both, is technically you can but you will do irritable damage to the roots of the trees and the trees will die after a few years.
- #4 Biltmore Avenue would like for someone to come out and take a look at the trees in front of their building. There are ones there they may need attention and some may need replaced. Meeting will be arranged for the CRC to go out and take a look.

***TRC Committee Report:***

***Susan Roderick***

- No meeting today

***Duke Energy Progress:***

***Roy Smith***

- Finishing up small jobs in the Asheville area

***Bee City USA:***

***Phyllis Stiles***

- No report

***Blue Ridge Arborists Association:***

***Mike Davies***

- North Carolina Urban Forest Council will be having more of the webinars coming up in the next few months. Mike will keep us up to date on those.

### ***Asheville Greenworks:***

***Eric***

- No report

### ***Education Committee:***

- Debbie forwarded Mike a link to the open tree map app. There is now a “free” downloadable app for the open tree map. Mike will forward the link to the committee. We longer have to try to come up with the funding.
- Amy had suggested us reaching out to CAN (Coalition of Asheville Neighborhoods), Dave Michelson, Debbie Emmons, Amy Kemp and Mike Kenton will be attending the next meeting on September 8, 2014 from 7:00 p.m. to 9:00 p.m. We will be making a presentation in regards to the Open Tree Map, show them how it works and see if we can work together to have a “Rollout Party”, bring in the neighborhoods and have them start mapping the trees in their area.
- Brandee also suggested making sure that during the presentation that their be a designated area in regards to the Tree Commission and what we are about and how we function and what we have accomplished.

### ***Old Business and New Business:***

- ***Protection of trees on private property:***

Mike and Cecil-

Cecil met with the new City Attorney and she felt that we could not designate all Trees of this size will fall under this umbrella. However, what we can do, we as the Tree Commission can come up with the strip definition of what we think an historic tree is and then City Council does have the power to protect the historic trees. It can be house by house or by neighborhood. We have to have the concrete definition and take it to Council. The current ordinance allows us to do that with the current property owner but there is no definition.

Mike will work on the definition of an historic tree and would like for us to have it ready to send up at the next meeting.

\*\*\*Historic Tree of Asheville-

“Any tree that is of a variety included on the city’s Recommended Species List, having at the time of submission a dbh of twelve inches or larger, which is deemed by a resident to have historical significance. This could include, but is not limited to, connections to notable people and/or events. It could also include trees that the resident believes add to the character and/or charm of the city of Asheville.”

\*\*\* Please make changes or suggestions to Mike and he will make adjustments. Mike is waiting on a suggested change and will update everyone on the suggestion at the next meeting.

### **Update:**

We were rejected on the mailing in the water bills. It is too expensive. Brandee brought up the idea of joining with Duke Energy and possibly putting a mailer in the light bills when they go out. However it was a consensus that most people throw away any inserts without even looking at them. Roy will check with his communications people and see what the possibility would be of adding a link to their website to our Tree Commission site. There we could add information in regards to tree topping and other related issues with the preservation of the trees in Asheville.

**The next meeting is scheduled for  
Monday, September 15, 2014**

